

FILED
for Roanoke
NOV 24 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

ALICE RASOR FOSTER,
Petitioner,

v.

BARBARA J. WHEELER,
Respondent.

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Civil Action No. 7:09-cv-00451

FINAL ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that petitioner's petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, is **DISMISSED**
without prejudice for failure to exhaust state court remedies and the action is **STRICKEN** from
the active docket of the court.

The Clerk is directed to send a certified copies of this final order and the accompanying
memorandum opinion to the petitioner.

ENTER: This 24th day of November, 2009.

[Signature]
Senior United States District Judge